

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18516 of 2023

Arising Out of PS. Case No.-632 Year-2022 Thana- NATHNAGAR District- Bhagalpur

Mannu Yadav @ Manuwa, Son Of Late Arjun Yadav, R/O Village- Raghapur
Tikar, P.S.- Madhusudanpur, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh, Advocate
For the Opposite Party/s : Mr.Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 16-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Nath Nagar (Madhusudanpur) P.S. Case No. 632 of 2022 registered for the alleged offences under Sections 25 (1-b)a and 26 of the Arms Act.

As per prosecution case, a raid was conducted at the house of the petitioner in connection with another case, i.e, Nathnagar (Madhusudanpur) P.S. Case No.626 of 2022 in which the petitioner was also an accused and from the possession of this petitioner, a loaded country made pistol along with one live cartridge was recovered. Further, a loaded country made pistol was recovered under the pillow of the petitioner.

Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. The search and seizure has not been made after complying the provisions of the law. There is no report on the recovered firearms and for this reason, no case under the Arms Act would be made out against the petitioner. The learned counsel further submits that the petitioner is in custody since 21.08.2022. The charge sheet has been submitted. The learned counsel further submits that the petitioner is having criminal antecedent and 8 cases are pending against him, but he is on bail in all these cases.

Learned A.P.P. opposes the prayer for bail submitting that the petitioner is habitual offender and has got long criminal history.

Having regard to the facts and circumstances and submissions made hereinabove and considering the submission of charge sheet and the period of custody of the petitioner, he is directed to be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Nathnagar (Madhusudanpur) P.S. Case No. 632 of 2022, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal



Procedure and also the following conditions :

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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